



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Art Unit:

Rakib et al.

Examiner:

Serial No. 10/729,179

Docket No. TER-051

Filed: 12/6/2003

For: ESTABLISHMENT OF MULTIPLE UPSTREAM DOCSIS LOGICAL CHANNELS  
BASED UPON PERFORMANCE

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Date: November 30, 2004

Alexandria, Va. 22313-1450

Statement of Robert Fanfelle of No Deceptive Intent Pursuant to37 CFR 1.48(a)

Dear Sir:

Being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon, I hereby voluntarily make the following statements. The following statements made of my own knowledge are true, and all statements made on information and belief are believed to be true.

I, Robert James Fanfelle, hereby declare of my own personal knowledge that I should be added as a co-inventor to the above identified patent application, and that the error in naming the inventive entity did not result from any deceptive intent on my part.

Respectfully submitted,

Dated: November 30, 2004

  
Robert James Fanfelle

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner

Fanfelle Statement re Decep Int

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for Patents , P.O. Box 1450, Alexandria, Va. 22313-1450.

on 3/6/05  
(Date of Deposit)



Ronald Craig Fish, President  
Ronald Craig Fish, a Law Corporation  
Reg. No. 28,843



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Alexandria, Va. 22313-1450

Petition To Change Inventorship Under 37 CFR 1.41

Dear Sir:

The assignee hereby requests that the inventorship on the subject patent application be amended to add Robert Fanfelle as a third inventor to the above identified

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patent application. The Petition Fee of \$130 under 37 CFR 1.17(i) is enclosed herewith in the form of a credit card authorization form. Also enclosed is a statement from Robert Fanfelle that the error in naming inventorship did not stem from any deceptive intent on his part.

Date: February 23, 2005

Respectfully submitted,



Ronald Craig Fish

Reg. No. 28,843

Tel 408 866 4777

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on 3/6/05  
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Ronald Craig Fish, President

Ronald Craig Fish, a Law Corporation

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Alexandria, Va. 22313-1450

Consent of Assignee Under 37 CFR 3.73

Dear Sir:

The assignee, Terayon Communication Systems, Inc., hereby establishes its ownership of the above identified patent application and the right to take action therein. By my signature below, I certify that I, Rachel Halpren, have authority to act on behalf of the assignee of the above identified patent application. The original patent application named Selim Shlomo Rakib and Yehuda Azenkot as its inventors. Those two inventors executed

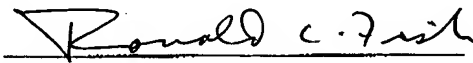
PATENT

an assignment on 12/16/2003 and that assignment was recorded at the USPTO at  
reel/frame 014385/0135 on 3/1/2004.

Dated: 3/4/05

Respectfully submitted,  
  
Jerry Chase  
Chief Executive Officer

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for Patents, P.O. Box 1450, Alexandria, Va. 22313-1450.  
on 3/6/05  
(Date of Deposit)

  
Ronald Craig Fish, President  
Ronald Craig Fish, a Law Corporation  
Reg. No. 28,843



## DECLARATION FOR PATENT APPLICATION

Inventor(s): ROBERT JAMES FANFELLE

Docket No.: TER-051

As a below-named inventor, I hereby declare that:

My correct residence, post office address and citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled: **ESTABLISHMENT OF MULTIPLE UPSTREAM DOCSIS LOGICAL CHANNELS BASED UPON PERFORMANCE**.

The specification of this subject matter:

☐ is attached hereto.

☒ was filed on: 12/6/2003

was assigned serial No.: 10/729,179;

which was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified patent application, including the claims, as amended by any amendment(s) referred to above. I believe the subject matter claimed in the above-identified application to be new and to be unobvious to persons of ordinary skill in the art in view of the prior art of which I am aware. I further hereby state that the specification of the above identified patent application adequately describes how to make and use the claimed invention so as to enable one of skill in the art to practice the invention without excessive experimentation, and further that it sets forth the best mode for practicing the invention known to me as of the date that the application was filed, and that all inventors who participated in the conception of the invention are named and no person who did not participate in the conception of the invention is named as an inventor. I declare that the claimed invention has not been on sale in the United States nor in public use in the United States more than one year prior to the filing date. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56 and promise to disclose prior art that is known to me now or which becomes known to me in the future during the pendency of the application. I further acknowledge the duty to disclose information known to me to be material under 37 C.F.R. 1.56 to the examination of the claims in any continuation-in-part application filed under the conditions specified in 35 U.S.C. Section 120 which became available between the filing date of the prior application or the national or PCT international filing date and the filing date of the continuation-in-part application. I further state that if this application is a continuation-in-part application of a previous application, that any improvements in the technology of the previous application have been disclosed in this continuation-in-part application.

I hereby appoint the following attorney to prosecute this application and to transact all business in the United States Patent and Trademark Office connected with this application and all continuations, divisional and continuations-in-part of this application and to transact all

business in all foreign patent offices for all foreign counterparts of this patent application or any divisional, continuation, continuation-in-part application or any PCT application arising out of this patent application or claiming priority of this patent application:

Ronald C. Fish (Reg. Number 28,843)

Address all telephone calls to Ronald C. Fish at telephone no. (408) 778-3624

Address all correspondence to Ronald Craig Fish

Ronald Craig Fish, a Law Corporation  
Post Office Box 2258  
Morgan Hill, California 95038  
U.S.A.  
FAX No. (408) 776-0426

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Application No.	Country	Filing Date	Priority Claimed
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I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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FULL NAME OF INVENTOR 1	FIRST Name	MIDDLE Initial(s)	LAST Name
RESIDENCE AND CITIZENSHIP	City	State or Foreign Country	Country of Citizenship
POST OFFICE ADDRESS	Number and Street	City	State or Country
			Zip Code

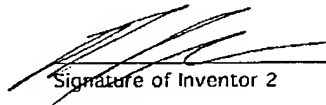
FULL NAME OF INVENTOR 2	FIRST Name	MIDDLE Initial(s)	LAST Name
RESIDENCE AND CITIZENSHIP	City	State or Foreign Country	Country of Citizenship
POST OFFICE ADDRESS	Number and Street	City	State or Country
			Zip Code



FULL NAME OF INVENTOR 3	FIRST Name	MIDDLE Initial(s)	LAST Name	
RESIDENCE AND CITIZENSHIP	City	State or Foreign Country		Country of Citizenship
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon. I (We) declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

\_\_\_\_\_  
Signature of Inventor 1                      Date

 Nov 30, 2004  
\_\_\_\_\_  
Signature of Inventor 2                      Date

\_\_\_\_\_  
Signature of Inventor 3                      Date